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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,276	06/06/2000	Charles Benjamin Dieterich	SAR 13423	8138
32364	7590	10/07/2004	EXAMINER	
DANN, DORFMAN, HERRELL & SKILLMAN, P.C. SARNOFF CORPORATION 1601 MARKET STREET, SUITE 720 PHILADELPHIA, PA 19103			TRAN, TRANG U	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/588,276	<b>Applicant(s)</b> DIETERICH, CHARLES BENJAM	
	<b>Examiner</b> Trang U. Tran	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panaro (US Patent No. 5,731,839) in view of Yonemitsu (US Patent No. 5,040,061).

In considering claim 7, Panaro discloses all the claimed subject matter, note 1) the claimed producing a bitstream of at least one picture of the sequence of pictures is met by the MPEG bitstream which is coded bi-directional predicted frame (B-frame) and two coded anchor images (predicted images or P-frame) and the B-frames which are predicted from one or more other "anchor" image frames (e.g., P-frames (indirect-coded) and I-frames (direct-coded)) (Figs. 1 and 2, col. 3, line 50 to col. 4, line 37).

However, Panaro explicitly does not disclose the claimed wherein the at least one picture includes a region that includes a direct-coded representation of the reference image portion and a region that includes an indirect-coded representation of the reference image portion.

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Yonemitsu teaches that the intraframe encoding and the interframe encoding are switched, so that one frame is divided into five-divided areas in the longitudinal direction, where one of the divided areas is subjected to the intraframe encoding, and the remaining four-divided areas are subjected to the interframe encoding (Figs. 4-5 col. 5, lines 58 to col. 6, line 21).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate one frame with two different encoding (interframe and intraframe) as taught by Yonemitsu into Panaro's system in order to allow the encoded video signal to be recorded on a disc-like recording medium rotated with constant linear velocity.

In considering claim 8, the claimed wherein the direct-coded representation is intra-coded is met by the area indicted by a hatched solid lines shows a block group to be processed by the intra frame processing (Fig. 5, col. 5, lines 58 to col. 6, line 21 of Yonemitsu).

In considering claim 9, the claimed wherein producing a bitstream includes producing one of an MPEG bitstream and an MPEG-like bitstream is met by the MPEG bitstream which is coded bi-directional predicted frame (B-frame) and two coded anchor images (predicted images or P-frame) and the B-frames which are predicted from one or more other "anchor" image frames (e.g., P-frames (indirect-coded) and I-frames (direct-coded)) (Figs. 1 and 2, col. 3, line 50 to col. 4, line 37 of Panaro).

In considering claim 10, the claimed wherein the reference image portion has at least one indicia, at least a portion of the indicia being in the region that is a direct-

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coded representation of the reference image portion and at least a portion of the indicia being in the region that is an indirect-coded representation of the reference image portion is met by one frame is divided into five-divided areas in the longitudinal direction, where one of the divided areas is subjected to the intraframe encoding, and the remaining four-divided areas are subjected to the interframe encoding (Figs. 4-5, col. 5, lines 58 to col. 6, line 21 of Yonemitsu).

In considering claim 11, the claimed further comprising producing in the bitstream at least one additional picture of a sequence of picture that is a direct-coded representation of the reference image portion and that follows the at least one picture that includes direct coded and indirect coded representations of the reference image portion is met by the complete frame sequence, for example, starts with an I-frame (direct-coded), followed by a P-frame (indirect-coded and direct-coded), fifteen B-frames and another P-frame (col. 5, lines 33-42 of Panaro) and one frame is divided into five-divided areas in the longitudinal direction, where one of the divided areas is subjected to the intraframe encoding, and the remaining four-divided areas are subjected to the interframe encoding (Fig. 5, col. 5, lines 58 to col. 6, line 21 of Yonemitsu).

In considering claim 12, the claimed further comprising repeatedly inserting the additional picture into the sequence of pictures at one of regular and irregular intervals is met by the complete frame sequence, for example, starts with an I-frame (direct-coded), followed by a P-frame (indirect-coded and direct-coded), fifteen B-frames and another P-frame (col. 5, lines 33-42 of Panaro).

Claims 13-15 are rejected for the same reason as discussed in claims 7-9, respectively.

In considering claim 16, Panaro discloses all the claimed subject matter, note 1) the claimed means for applying the bitstream from said generator to a video decoder, wherein the video decoder decodes the bitstream is met by the decoder under test 108 (Fig. 1, col. 3, lines 33-49 and col. 4, line 45 to col. 6, line 55), and 2) the claimed means coupled to said video decoder for observing a decoded image having a first decoded region responsive to the direct-coded representation of the reference image portion and a second decoded region responsive to the indirect-coded representation of the reference image portion is met by the title and verify image 314 (Figs. 1 and 4, col. 6, lines 1-67).

Claims 17-19 are rejected for the same reason as discussed in claims 10-12, respectively.

Claims 20-25 are rejected for the same reason as discussed in claims 7-12, respectively.

Claim 26 is rejected for the same reason as discussed in claim 7.

Claim 27 is rejected for the same reason as discussed in claim 8.

Claim 28 is rejected for the same reason as discussed in claim 8.

Claim 29 is rejected for the same reason as discussed in claim 9.

***Allowable Subject Matter***

4. Claims 1-6 are allowed.

***Conclusion***

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5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (703) 305-0090. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.


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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TT TT  
October 1, 2004



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